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Date: September 30, 2013

To: City of Las Vegas Planning Commission and Staff

Subject: **Revised Jusification Letter**
Request for Site Development Design Review (SDR) and
Variance of Site Development and Landscape standards
Parcel 139-35-413-028 - 1625 E Charleston

Request

We request a design review of our proposal to replace a previous fast food restaurant with a new, smaller, restaurant building 1850 sf, and add a new retail tenant shell building of approximately 2450 sf in area. The former Arby's restaurant will be completely removed with an new building constructed in it's place to be a Church's Chicken restaurant. The new restaurant which is 1850 sf, will replace the former 2100 sf building. The new commercial shell building 2450 sq. ft. in size will be added to the site to allow full use of the land as a home to small businesses.

Variances

1. Accept Proposed landscaping in lieu of development standards for parking lots and buffering.
2. Waive side yard setbacks for the new building to allow the new building to be immediately beside the present zero setback building existing on our east property line.

Justification

Renovation of this property and adding up to four new businesses will stimulate a renewal for this area. The new fried chicken franchise will occupy the same basic footprint that was first built here in 1968.

The new commercial building will accommodate either professional offices or retail shops. There is sufficient parking capacity to support either of these occupancies. Either of these occupancies will both provide and attract customers to our restaurant.

Variance to the side yard setback is needed to fit the new building on the site and also provide adequate parking. The requirement for a side yard is inconsistent with the existing configurations on properties both east and west where neighboring buildings abut the property line. Our proposal matches the configuration granted to our eastern neighbor. Further, creating a side yard serves no practical purpose since it would be hidden from view between the backs of two neighboring buildings. While it would be an attractive haven for homeless squatters, it would only be a nuisance to our tenants and neighbors.

Variance to landscaping is needed to allow sufficient traffic movement constrained by the present position of the existing building while preserving part of the landscaping that exists at the Charleston street front.

Green Building

We propose no construction that is harmful to the environment in either use or manufacture. The building will meet current energy codes.

Bicycle Parking

We can easily include parking space for bicycles within on our site.

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City of Las Vegas
Department of Planning

Justification Letter - Planning Action
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Connectivity

This is a stand-alone site with no ties of dependency on other parcels except by existing sidewalks and streets.

Pedestrian Access

This is not intended as an urban village project, however it may be accessed easily by pedestrians who may live nearby or by those arriving by public transit or from nearby businesses.

Sustainable Construction

Our new building will consider state of the art sustainable principles. Both buildings will utilize modern systems.

Electric Vehicle Charging

We have not provided any vehicle charging at this time.

Summary,

The existing building and site are presently not habitable. It has been vacant for several years. We will transform it into a modern and attractive commercial site where daytime business provides a far better neighbor to the local businesses than they have today.

We are willing to make the investment required to transform this to a modern fast food establishment with new commercial tenant businesses.

Submitted on behalf of the property owner,



D.W. Strait
Architect 2841